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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 SUN MICROSYSTEMS, INC.,

No. C-07-05488 EDL

9 Plaintiff,

**ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE**

10 v.

11 NETWORK APPLIANCE, INC.,

12 Defendant.
13 _____/

14 Following the January 23, 2009 Case Management Conference in the above captioned case,
15 it is HEREBY ORDERED as follows:

16 Close of fact discovery is April 24, 2009.

17 Opening expert reports are due on August 7, 2009. Rebuttal expert reports are due on
18 August 28, 2009. The close of non-damages expert discovery is September 18, 2009. The Court
19 will set a trial date after ruling on the motions for summary judgment.

20 The Court will first consider summary judgment motions that involve issues relating to the
21 claim terms that the Court has already construed. Parties shall file final reply briefs on the summary
22 judgment motions by November 4, 2009. The Court will hear the summary judgment motions on
23 December 2 and December 9, 2009. Any request to continue the hearing dates shall be filed by
24 January 30, 2009. The parties shall further meet and confer about the number of briefs and briefing
25 schedule for this round of summary judgment motions and the order in which the motions should be
26 heard. The parties shall also meet and confer on a list of other potential issues for future summary
27 judgment motions, including, if necessary, a limited number of claim terms that the parties contend
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1 require construction. The parties shall file a joint case management statement addressing these
2 issues by April 23, 2009.

3 A further case management conference will be held on April 30, 2009 at 2:00 p.m.

4 **IT IS SO ORDERED.**

5 Dated: January 29, 2009

Elizabeth D. Laporte

6 ELIZABETH D. LAPORTE
7 United States Magistrate Judge
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